

REMARKS

Claims 1-20 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 1-13, drawn to optical disc (and associated method) wherein the test recording areas in the odd-numbered recording layers and the test recording areas in which the test data are recorded in the even-numbered recording layers do not overlap in the thickness direction of the optical disc, the test recording areas in the odd-numbered recording layers are mutually aligned in the thickness direction, and the test recording layers in the even-numbered recording layers are mutually aligned in the thickness direction.

Group II, claims 14-16, drawn to a recording method wherein the optimal recording power determined near the innermost circumference, the optimal recording power determined near the outermost circumference, and the radial position at which the user data are recorded are used to determine the optimal recording power for recording the user data at said position.

Group III, claims 17 & 18, drawn to a recording method including a first step of recording test data at a plurality of mutually differing recording power values differing in steps of a first predetermined width in a test recording area in a recording layer, reproducing the recorded test data, and evaluating the reproduction results to determine an approximate value of the optimal recording power; a second step of recording test data at a plurality of mutually differing recording power values in a range near said approximate value of the optimal recording power, differing in steps of a second predetermined width smaller than the first predetermined width, in the test recording area in the recording layer, reproducing the recorded test data, and evaluating the reproduction results to determine a more precise value of the optimal recording power; and a third step of recording user data according to the more precise value of the optimal recording power.

Group IV, claim 19, drawn to a recording method wherein the process of determining the optimal recording power by recording and reproducing the test data and evaluating the reproduction results is carried out in the plurality of recording layers before the recording of the user data in the plurality of recording layers.

Group V, claim 20, drawn to a recording method wherein the processing from the recording of the test data to the determination of the optimal recording power is performed simultaneously in the first and second recording layers before the recording of the user data in the first recording layer ends, and the optimum recording power is determined for recording in the first and second recording layers; then the processing from the recording of the test data to the determination of the optimum recording power is performed in the first recording layer to determine a new optimal recording power for the first recording layer; after the new optimal recording power has been determined, subsequent recording of user data in the first recording layer is carried out using the new optimal recording power; and recording of the user data in the second recording layer begins at a recording power determined by use of the recording power that was used at the conclusion of the recording of user data in the first recording layer and a ratio between the respective optimal recording powers obtained for the recording layers when the processing from the recording of the test data to the determination of the optimal recording power was carried out simultaneously in the first and second recording layers before.

**For the purpose of examination of the present application,
Applicants elect, without traverse, Group I, Claims 1-13.**

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings, Registration No 48,917 at the telephone number of the undersigned

below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

- Attached is a Petition for Extension of Time.
- Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: August 1, 2008

Respectfully submitted,

By 
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